

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ARKANSAS FEDERAL CREDIT UNION
and THE SUMMIT FEDERAL CREDIT
UNION, on Behalf of Themselves and All
Others Similarly Situated,

Plaintiffs,

v.

HUDSON'S BAY COMPANY, SAKS FIFTH
AVENUE LLC, SAKS & COMPANY LLC,
SAKS INCORPORATED, and LORD &
TAYLOR, LLC,

Defendants.

Case No. 19-cv-4492 (PKC)

PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL

TO: THE COURT, ALL PARTIES, AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs Arkansas Federal Credit Union and The Summit Federal Credit Union ("Plaintiffs"), will, and hereby do, move the Court, before the Honorable P. Kevin Castel, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007, at a date and time to be set by the Court, for an Order Preliminarily Approving the proposed Settlement Agreement and Providing for Notice. This Motion is brought pursuant to Fed. R. Civ. P. 23(b)(2), 23(b)(3), & 23(e), and seeks an order:

- (1) preliminarily approving the proposed Settlement Agreement;
- (2) approving the proposed Notice Program and Class Notice as providing the best notice that is practicable under the circumstances;
- (3) certifying the proposed Settlement Class;

- (4) appointing Plaintiffs as Class Representatives;
- (5) appointing Joseph P. Guglielmo of Scott+Scott Attorneys at Law LLP as Class Counsel;
- (6) appointing Analytics Consulting LLC as the Claims Administrator;
- (7) staying this Action pending Final Approval; and
- (8) scheduling a Final Approval Hearing.

This Motion is based upon Plaintiffs' Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Preliminary Approval, the Declarations of Joseph P. Guglielmo and Richard W. Simmons, and the exhibits annexed thereto, including the Settlement Agreement and the exhibits annexed thereto. Plaintiffs' counsel have conferred with Defendants' counsel and confirmed that Defendants do not oppose Plaintiffs' Motion.

DATED: May 27, 2021

Respectfully submitted,
SCOTT+SCOTT ATTORNEYS AT LAW LLP

/s/ Joseph P. Guglielmo
Joseph P. Guglielmo
Carey Alexander
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: 212-223-6444
Facsimile: 212-223-6334
jguglielmo@scott-scott.com
calexander@scott-scott.com

Erin Green Comite
SCOTT+SCOTT ATTORNEYS AT LAW LLP
156 South Main Street
Colchester, CT 06415
Telephone: 860-537-5537
Facsimile: 860-537-4432
ecomite@scott-scott.com

Karen S. Halbert
Michael L. Roberts
Jana K. Law

ROBERTS LAW FIRM, PA

20 Rahling Circle
P.O. Box 241790
Little Rock, AR 72223
Telephone: 501-821-5575
Facsimile: 501-821-4474
karenhalbert@robertslawfirm.us
mikeroberts@robertslawfirm.us
janalaw@robertslawfirm.us

Gary F. Lynch

CARLSON LYNCH LLP

1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222
Telephone: 412-322-9243
Facsimile: 412-231-0246
glynch@carlsonlynch.com

*Attorneys for Plaintiffs Arkansas Federal Credit
Union and The Summit Federal Credit Union*

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ Joseph P. Guglielmo

Joseph P. Guglielmo

SCOTT+SCOTT ATTORNEYS AT LAW LLP

The Helmsley Building

230 Park Avenue, 17th Floor

New York, NY 10169

Telephone: 212-223-6444

Facsimile: 212-223-6334

jguglielmo@scott-scott.com